Claim 21-28 were rejected under 35 U.S.C. §112, first paragraph. The rejection is traversed as applied and as it might be applied to the presently pending claims. However, to expedite prosecution applicants have amended claim 21 in order to respond to specific objections raised by the Examiner.

Specifically, the rejection appears to focus on the fact that earlier claim 21 did not specify a particular disorder, disease or result obtained by administering relaxin-like factor. Accordingly, claim 21 has been amended to specifically claim a method of decreasing collagen synthesis. The Examiner's rejection specifically referred to the diseases recited on page 6 of the specification. However, as indicated at page 5, line 34 through page 6, line 10 the administration of relaxin-like factor can decrease collagen production and thereby result in treating a number of different disorders and/or the symptoms of these disorders. This is explained further in the specification such as at page 13, lines 6-34 and within the examples.

In view of the amendments to claim 21 and the remarks put forth above this rejection is believed to have been overcome.

Rejection under 35 U.S.C. §112, second paragraph

Claims 21-28 were rejected under 35 U.S.C. §112, second paragraph as being indefinite. The basis of this rejection appears similar to that of the 35 U.S.C. §112, first paragraph rejection. Specifically the rejection indicates that it is not clear what the method is intended to accomplish in terms of an endpoint. Claim 21 has been amended to indicate that the method is intended to achieve decreased collagen synthesis. Accordingly, this portion of the rejection is believed to have been overcome.

The rejection is also applied against claims 25 and 26 due to the use of the word "organism". Although it is applicants position that the term organism is well understood as being an individual living thing the rejection has been rendered moot by the cancellation of claims 25 and 26.

35 U.S.C. §102 Rejection

Claims 21-23 and 25-28 were rejected under 35 U.S.C. §102(b) over Büllesbach et al. The rejection is traversed as applied and as it might be applied to the presently pending claims.

Büllesbach et al. does not disclose a method of decreasing collagen synthesis. In that claim 21 has been amended to specify that the method is directed to decreasing collagen synthesis the rejection is believed to have been overcome.

SUMMARY

Claim 21 has been amended and claims 25-28 have been canceled to more particularly point out and distinctly claim the invention. Claim 21 now focuses on a method of decreasing collagen synthesis as supported in the specification such as at page 13 wherein applicants have indicated that relaxin-like factor decreases collagen synthesis. Applicants have also indicated that the ability to decrease collagen

synthesis can also be effective in the treatment in a number of diseases and/or relieving symptoms of those diseases. Via this amendment the 35 U.S.C. §112, first and second paragraph rejections are believed to have been overcome. The cited art does not disclose a method of decreasing collagen synthesis. Accordingly, the prior art rejection is also believed to have been overcome.

Applicants have made the amendments to claim 21 in direct response to the objections raised by the Examiner. Applicants recognize that the Examiner has considerable discretion with respect to the entry of the amendments and respectfully requests that the Examiner consider the entry of these amendments as placing these claims in condition for allowance.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815.

Respectfully submitted,
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Date: Feb 28, 2001

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Attachment: Mark-Up Copy of Claims
Clean Copy of Claims

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MARK-UP COPY OF CLAIMS

U.S. Serial No. 09/041,491; Filing Date March 12, 1998

21. (Amended) A method of decreasing collagen synthesis, comprising:

administering to [an organism] cells of a human expressing relaxin receptors, synthetic relaxin like factor; and

allowing the relaxin like factor to contact the receptors for a period of time and under conditions such that the receptors are activated, and collagen synthesis is decreased;

the relaxin like factor comprising an A chain and a B chain,

said A chain having the amino acid sequence:

Ala-Ala-Ala-Thr-Asn-Pro-Ala-Arg-Tyr-Cys-Cys-Leu-Ser-Gly-Cys-Thr-Gln-Gln-Asp-Leu-Leu-Thr-Leu-Cys-Pro-Tyr (SEQ ID NO:3)

or said amino acid sequence (SEQ ID NO:3) truncated by up to about 6 amino acids from the N-terminus and/or by up to 6 amino acids from the C-terminus;

said B chain having the amino acid sequence:

Pro-Thr-Pro-Glu-Met-Arg-Glu-Lys-Leu-Cys-Gly-His-His-Phe-Val-Arg-Ala-Leu-Val-Arg-Val-Cys-Gly-Gly-Pro-Arg-Trp-Ser-Thr-Glu-Ala (SEQ ID NO:4)

or said amino acid sequence (SEQ ID NO:4) truncated by up to 5 amino acids from the N-terminus and/or by up to 5 amino acids from the C-terminus;

said A and B chains linked by disulfide bonds between amino acid residue number 11 of SEQ ID NO:3 amino acid number 10 of SEQ ID NO:4.

22. (Reiterated) The method of claim 21, wherein the synthetic relaxin like factor is attached to a detectable label.

23. (Reiterated) The method of claim 21, wherein the synthetic relaxin like factor is chemically synthesized.

24. (Reiterated) The method of claim 21, wherein the synthetic relaxin like factor is recombinantly produced.